

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROGER ANTHONY ETKINS,)	
)	
Plaintiff,)	Case No. 1:10-cv-216-SJM-SPB
)	
v.)	
)	
JUDY GLENN, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM JUDGMENT ORDER

Plaintiff's complaint in this civil rights action was received by the Clerk of Court on September 1, 2010 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on August 2, 2012 [72], recommends that: (a) Plaintiff's "Dispositive Motion Pursuant to Fed. R. Civ. P. 72(b)" [58] be denied; (b) Defendant Eric Asp's motion for summary judgment [62] be granted; Plaintiff's Motion for Leave to File an Amended Complaint [55] be denied; and (d) Plaintiff's Motion to Amend Original Complaint Pursuant to Fed. R. Civ. P. Rule 15(a) and for Joinder of Persons Pursuant to Fed. R. Civ. P. 19(a)(1)(A) and 20(a)(2)(A) [69] be denied. Plaintiff filed his objections to the Report and Recommendation [73] on August 17, 2012.

After de novo review of the complaint and documents in the case, together with the Report and Recommendation and Plaintiff's objections thereto, the Court finds that Plaintiff's objections lack merit and, accordingly, the following order is entered:

AND NOW, this 9th Day of January 2013;

IT IS ORDERED that Plaintiff's Motion for Leave to File an Amended Complaint [55] shall be, and hereby is, DENIED.

IT IS FURTHER ORDERED that Plaintiff's Motion to Amend Original Complaint Pursuant to Fed. R. Civ. P. Rule 15(a) and for Joinder of Persons Pursuant to Fed. R. Civ. P. 19(a)(1)(A) and 20(a)(2)(A) [69] shall be, and hereby is, DENIED.

IT IS FURTHER ORDERED that Plaintiff's filing styled as "Dispositive Motion Pursuant to Fed. R. Civ. P. 72(b)" [58] shall be and hereby is, DENIED.

IT IS FURTHER ORDERED that Defendant Eric Asp's motion for summary judgment [62] shall be, and hereby is, GRANTED. In accordance with the foregoing, JUDGMENT shall be, and hereby is ENTERED in favor of Defendant Eric Asp and against Plaintiff Roger Anthony Etkins.

The Report and Recommendation of Magistrate Judge Baxter, filed on August 2, 2012 [72], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

cm: All parties of record

U.S. Magistrate Judge Susan Paradise Baxter